

1-13-05

AP/2876



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
David Stanard

Serial No.: **09 / 556,333**

Date Filed: **October 16, 2002**

Title: **System for Providing
 Evidence of Payment**

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Group Art Unit: **2876**

Examiner: **J.A. Franklin**

Atty Docket No.: **E30849RCE**

Board of Patent Appeals and Interference
 US Patent and Trademark Office
 PO Box 1450
 Alexandria, Virginia 22313-1450

Certificate of Mailing by Express Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail No. **ED259981771US** in an envelope addressed to: Board of Patent Appeals and Interference, US Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on January 12, 2005.

Hong T. Do
 Hong T. Do

TRANSMITTAL LETTER

On January 12, 2005, Examiner Jamara A. Franklin telephoned and spoke to Mr. Gordon T. Arnold informing him that the U.S. Patent & Trademark Office did not receive a Notice of Appeal in connection with the above-referenced case. However, a Notice of Appeal was filed on September 20, 2004. Therefore, in response to Examiner Franklin's telephone call, Applicant transmits herewith the following items for filing in connection with the above-referenced patent application:

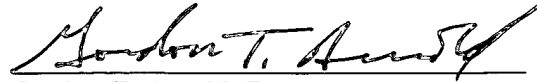
- X Affidavit of Hong T. Do;
- X Copy of *Notice of Appeal* filed on September 20, 2004;
- X Copy of date-stamped *Return Postcard*; and
- X Return postcard.

Applicant requests that the Appeal Brief, earlier filed on November 22, 2004, be accepted and duly considered.

The Commissioner is also hereby authorized to charge Deposit Account No. 01-2511 for any underpayment of the fees.

Respectfully submitted,

1/12/05
Date



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Affidavit of Hong T. Do

I, Hong T. Do, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and stated from my personal knowledge:

- 1) The attached pages are true and correct copies of the *Notice of Appeal* which was transmitted to the U.S. Patent & Trademark Office on September 20, 2004, via Express Mail No. ED259980952US in an envelope addressed to: Board of Patent Appeals and Interference, US Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated and signed this January 12, 2005 at the offices of Arnold & Ferrera, L.L.P. located at 2401 Fountain View Drive, Suite 630, Houston, TX.

I hereby certify, under penalty of perjury, that I am acting on my own behalf and state from my personal knowledge, that the foregoing statements are true and correct, to the best of my knowledge and belief.

(Signature of Affiant)